



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Murari et al.  
Serial No.: 09/925,348 Art Unit: 1615  
Filing Date: August 9, 2001 Examiner: Sheikh, Humera N.  
For: "Pharmaceutical Product and Methods and Apparatus for Making Same"  
Docket No. SAR 15032 (DEL-059)

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Letter**

Applicants herein make available to the Patent and Trademark Office copies of the documents:

- ☒ listed on enclosed Form PTO/SB/08A/B (Formerly PTO-1449), in accordance with 37 CFR 1.98(a)(2); and
- ☐ listed on enclosed copies of Forms PTO-1449, PTO-892 or PTO/SB/08A/B, which forms recited the application information for applications to which this application claims priority under 35 U.S.C. §120, but have been edited to indicate the current application data. Pursuant to 37 CFR 1.98(d), NO COPIES OF THESE DOCUMENTS ARE ENCLOSED. The prior applications that provide the source of these documents are:

Serial No. \_\_\_\_\_, filed \_\_\_\_\_;

Serial No. \_\_\_\_\_, filed \_\_\_\_\_;

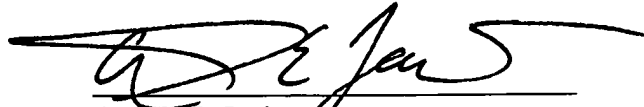
- ☒ A search report, dated December 12, 2003, on a related application from:

☐ PCT

☒ EPO

☐ \_\_\_\_\_

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. E. Jackson', written over a horizontal line.

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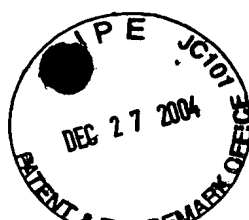
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Europäisches  
Patentamt

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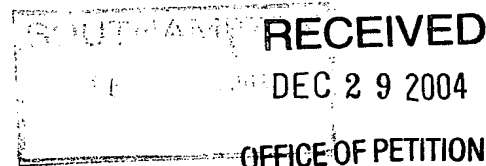
Branch at  
The Hague  
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Office européen  
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Département à  
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REC'D (LONDON)	16 DEC 2003
ANSO	
ENTRY	
FOR	RWP



Datum/Date  
12.12.03

No correspondence  
foreign  
No diary entries made  
for notifying overseas Patent Offices

Zeichen/Ref./Réf. P016235EP	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°. 01963853.5-2114-US0124949
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire Delsys Pharmaceutical Corporation	

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

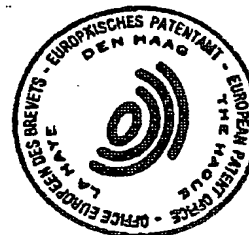
☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: NONE

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

**SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention EP 01 96 3853 shall be considered, for the purposes of subsequent proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
E	WO 02 03914 A (CHRAI SUGGY S ;DELSYS PHARMACEUTICAL CORP (US); MURARI RAMASWAMY) 17 January 2002 (2002-01-17) * page 5, line 23 - page 6, line 4 * * example 2 *	1-11, 14-16	A61K9/70
X	WO 99 63972 A (MARA KERRY DENNIS O ;SOUTHGATE PETER DAVID (US); CHRAI SUGGY S (US) 16 December 1999 (1999-12-16) * claims 31-44 *	1-11, 14-16	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			A61K
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
<b>INCOMPLETE SEARCH</b>			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:			
Claims searched completely :			
Claims searched incompletely :			
Claims not searched :			
Reason for the limitation of the search: see sheet C			
Place of search MUNICH		Date of completion of the search 2 December 2003	Examiner Sindel, U
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding	



Claim(s) searched incompletely:  
1-16

Reason for the limitation of the search:

Present claims 1-16 relate to an extremely large number of possible products. Support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC is to be found, however, for only a very small proportion of the products claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the products mentioned in the examples.

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 01 96 3853

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
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02-12-2003

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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